

15

PATENT

In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT: Baxter, et al.	EXAMINER: Not yet assigned
SERIAL NO.: 09/973,105	ART UNIT: 1761
FILING DATE: October 9, 2001	DOCKET NO.: 6815.US.O1
TITLE: METHODS AND COMPOSITIONS FOR PROVIDING GLUTAMINE	I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231 on the date shown below.
	<u>Sarah Mayhew</u> <u>01/08/02</u> Sarah Mayhew Date

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their duty of disclosure under 37 C.F.R. §1.56, and as authorized and encouraged under 37 C.F.R. §§ 1.97-1.98 and the provisions of MPEP §§ 609 and 707.05(b), Applicants submit herewith certain patent documents, publications and/or other information ("references") which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. The identification of any reference herein is not intended to be and should not be understood as being an admission that such reference necessarily constitutes "prior art" within the meaning of applicable law.

The cited references are listed on attached form PTO-1449.

- ☒ A copy of each cited reference is provided;
- ☐ Copies of cited references are not provided because each has previously been made of record in the parent application, or is otherwise known to be in the Examiner's possession.

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The Examiner is requested to review and evaluate each cited reference to make an independent assessment of the materiality of each, if any, to the examination of the above-identified application. The Examiner is requested to ignore any underscoring or highlighting which may have been done because such markings may or may not have any relationship to the subject matter of the present invention. The copies being submitted with this Statement are the best copies available at this time. Applicants respectfully request that (1) the references cited herein be made of record; (2) that the Examiner

acknowledge his consideration of each reference by initialing and returning the enclosed copy of the PTO-1449 form; and (3) that such references appear on the printed patent as having been considered on the record.

With regard to payment of a fee:

- ☒ No fee is due because:
- ☒ This Statement is mailed within three months of the filing date of this application, or before the mailing date of a first office action on the merits (see 37 C.F.R. §1.97(b)).
- ☐ Applicants certify that each reference cited in this Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. (see 37 C.F.R. §1.97(e)).
- ☐ This Statement is filed after the mailing date of a first Office Action on the merits but before the mailing date of either a final action or a Notice of Allowance (see 37 C.F.R. §1.97(c)) so a fee of **\$180.00** is specified by 37 C.F.R. §1.17(p).

If any fees are owed, or any credit is due pertaining to this case, please charge that fee or apply that credit to Deposit Account No. 01-0025. A duplicate sheet of this page is enclosed.

Ross Products Division of
ABBOTT LABORATORIES
Dept. 108140-DS/1
625 Cleveland Avenue
Columbus, OHIO 43215-1724

Telephone: (614) 624-5686
Facsimile: (614) 624-3074

Docket : 6815.US.O1

Respectfully submitted,


by J. Michael Dixon
Reg. No. 32,410

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Assistant Commissioner for Patents
Washington, D.C. 20231

Honorable Sir:

TRANSMITTAL LETTER

Enclosed herewith is the Information Disclosure Statement and Form 1449 for the above referenced patent application. Also enclosed are:

Eighteen (18) references

One (1) return postcard.


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Honorable Sir:

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Enclosed herewith is the Information Disclosure Statement and Form 1449 for the above referenced patent application. Also enclosed are:

Sixteen (16) references
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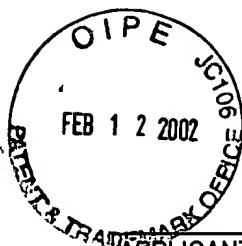
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[Signature]
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Enclosed herewith is the Information Disclosure Statement and Form 1449 for the above referenced patent application. Also enclosed are:

Fourteen (14) references
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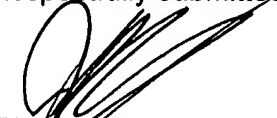
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FORM PTOL 449 (Rev. 2032)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.: 6815.US.01	Serial No.: 09/173,105
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant Baxter, et al.	
(Use several sheets if necessary)		Filing Date: 10/09/01	Group: 1761

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date (if appro.)
	6,221,910	04/24/01	Montner			
	5,462,924	10/31/95	Kihlberg, et al.			
	5,646,118	07/08/97	Kihlberg, et al.			
	5,908,824	06/01/99	Yanagawa			
	5,693,671	12/02/97	Niihara, et al.			

FOREIGN PATENT DOCUMENTS						
Document Number	Date	Name	Class	Subclass	Translation (Yes No)	
EP 1 097 646 A2	05/09/01					
EP 0 547 099 B1	07/30/97					
WO 92/03155	03/05/92					
JP 10-101576						

OTHER DOCUMENTS (including Author, Title, Date, Publication Page(s), Etc.)			
			Brito, et al., "Stable Glutamine Derivatives Reduce Apoptosis in Intestinal Epithelial Cells and Inhibit Cholera Toxin Secretion", American Journal of Tropical Medicine and Hygiene, V. 62 (3 Suppl), 367-368, no. 547
			Patents Abstract of Japan, application number 08260683
			Alitraq® Specialized Elemental Nutrition with Glutamine for Metabolically Stressed Patients with Impaired GI Function, Ross Products Division of Abbott Laboratories
			Optimental® Ready To Feed Elemental, Ross Products Division of Abbott Laboratories
			Sigma-Aldrich Certificate of Analysis, N-Acetyl -L-glutamine, Product Number A9125
EXAMINER			DATE CONSIDERED:

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw Line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.